

UNOFFICIAL VERSION

This is a draft version of the Senate Journal and is UNOFFICIAL until formal adoption.

THURSDAY, APRIL 19, 2012

SEVENTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 11:00 a.m., and was called to order by Mr. Speaker Ramsey.

RECESS

Mr. Speaker Ramsey moved the Senate stand in recess until 12:00 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker Ramsey.

PRESENTATION

Senator Norris introduced Mr. Charles Damon and the Color Guard from the Tennessee Society of the Sons of the American Revolution who presented the colors.

PRAYER

The proceedings were opened with prayer by Dr. Paul Casner of Donelson Presbyterian Church in Nashville, Tennessee, a guest of Senator Johnson.

PLEDGE OF ALLEGIANCE

Senator Johnson led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1038, 1493, 1715, 2630, 2773, 2929 with amendments, 3022 with amendment, 3070 with amendment, 3658, 3659 and 3743 with amendment; and House Joint Resolution No. 599.

MCNALLY, Chairperson
April 18, 2012

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

The Speaker announced that he had referred Senate Bills Nos. 1038, 1493, 1715, 2630, 2773, 2929 with amendments, 3022 with amendment, 3070 with amendment, 3658, 3659 and 3743 with amendment; and House Joint Resolution No. 599 to the Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2247 with amendment, 2580 with amendments, 2922, 3207 with amendments, 3350 with amendment and 3657 with amendment; Senate Joint Resolution No. 725 with amendment; and House Joint Resolutions Nos. 742 and 743.

MCNALLY, Chairperson
April 19, 2012

The Speaker announced that he had referred Senate Bills Nos. 2247 with amendment, 2580 with amendments, 2922, 3207 with amendments, 3350 with amendment and 3657 with amendment; Senate Joint Resolution No. 725 with amendment; and House Joint Resolutions Nos. 742 and 743 to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3817** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 3817 by Senator Herron.

Lake County -- As introduced, subject to local approval, restructures Lake County Highway Commission by increasing the number of highway commission districts from two to three, to be coextensive with the county commission districts. Amends Chapter 262 of the Private Acts of 1980, as amended.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 651, 2389, 2537 and 3517** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 651 -- Administrative Procedure (UAPA) -- As introduced, increases from five to 10 the number of persons required to petition agency for adoption or repeal of regulation. Amends TCA Title 4.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

House Bill No. 2389 -- Sentencing -- As introduced, establishes increased punishment for second and subsequent convictions for domestic assault. Amends TCA Title 39; Title 40 and Title 41.

House Bill No. 2537 -- Sunset Laws -- As introduced, extends the judicial performance evaluation commission, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4, Part 2.

House Bill No. 3517 -- Criminal Offenses -- As introduced, revises definitions of fetus as victim for criminal homicide and assaults to remove viability requirement and include an embryo; revises legislative intent statement. Amends TCA Title 39, Chapter 13.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 3815 and 3816** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 3815 Local bill -- held on desk.

Senate Bill No. 3816 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 850 through 854**; and **Senate Resolutions Nos. 98 through 106** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 850 by Senator Haynes.
Memorials, Interns -- Alex Brown.

Senate Joint Resolution No. 851 by Senator Haynes.
Memorials, Retirement -- Dr. Daniel Kellum.

Senate Joint Resolution No. 852 by Senator Summerville.
Memorials, Heroism -- McKinley Harding Choate.

Senate Joint Resolution No. 853 by Senator Burks.
Memorials, Interns -- Alexa Spata.

Senate Joint Resolution No. 854 by Senator Beavers.
Memorials, Interns -- James Parker.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senate Resolution No. 98 by Senators Berke and Stewart.

Memorials, Academic Achievement -- Carmen Traci Wooden, Valedictorian, South Pittsburg High School.

Senate Resolution No. 99 by Senators Berke and Stewart.

Memorials, Academic Achievement -- Victoria Ryann King, Salutatorian, South Pittsburg High School.

Senate Resolution No. 100 by Senators Watson and Berke.

Memorials, Academic Achievement -- Matthew Jesse Whisenant, Valedictorian, East Ridge High School.

Senate Resolution No. 101 by Senators Watson and Berke.

Memorials, Academic Achievement -- Alex Brandon Shuford, Salutatorian, Hixson High School.

Senate Resolution No. 102 by Senators Watson and Berke.

Memorials, Academic Achievement -- Nathan James Burriss, Valedictorian, Hixson High School.

Senate Resolution No. 103 by Senators Berke and Watson.

Memorials, Academic Achievement -- Breanna D. Glenn, Salutatorian, Howard School of Academics and Technology.

Senate Resolution No. 104 by Senators Berke and Watson.

Memorials, Academic Achievement -- Derquazia Deshun Smartt, Valedictorian, Howard School of Academics and Technology.

Senate Resolution No. 105 by Senators Watson and Berke.

Memorials, Academic Achievement -- Stephanie Amber Tatum, Salutatorian, East Ridge High School.

Senate Resolution No. 106 by Senator Massey.

Memorials, Interns -- Matthew Addison Rudder.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 750, 773, 840, 843, 934, 959, 961 through 964 and 966 through 977**; and **Senate Joint Resolutions Nos. 800 through 805 and 807 through 849** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 750 -- Naming and Designating -- Recognizes September 17 as "U.S. Constitution Day"; urges enhanced classroom instruction about the U.S. Constitution.

The Speaker announced that he had referred House Joint Resolution No. 750 to the Committee on Finance, Ways and Means.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

House Joint Resolution No. 773 -- Memorials, Public Service -- Representative Eddie Bass.

The Speaker announced that he had referred House Joint Resolution No. 773 to the Committee on Calendar.

House Joint Resolution No. 840 -- Naming and Designating -- Designates May 14-18, 2012, as "NAIA Women's Golf Championship Days" in Tennessee.

The Speaker announced that he had referred House Joint Resolution No. 840 to the Committee on State and Local Government.

House Joint Resolution No. 843 -- Memorials, Public Service -- Representative Harry Tindell.

The Speaker announced that he had referred House Joint Resolution No. 843 to the Committee on Calendar.

House Joint Resolution No. 934 -- Memorials, Public Service -- Representative Phillip Johnson.

The Speaker announced that he had referred House Joint Resolution No. 934 to the Committee on Calendar.

House Joint Resolution No. 959 -- Memorials, Personal Occasion -- Etta Mae Driver Rayborn, 75th birthday.

The Speaker announced that he had referred House Joint Resolution No. 959 to the Committee on Calendar.

House Joint Resolution No. 961 -- Memorials, Recognition -- Saint Mark Missionary Baptist Church.

The Speaker announced that he had referred House Joint Resolution No. 961 to the Committee on Calendar.

House Joint Resolution No. 962 -- Memorials, Retirement -- Dr. Doyle Meadows.

The Speaker announced that he had referred House Joint Resolution No. 962 to the Committee on Calendar.

House Joint Resolution No. 963 -- Memorials, Retirement -- Lieutenant Richard Earl Cash, THP.

The Speaker announced that he had referred House Joint Resolution No. 963 to the Committee on Calendar.

House Joint Resolution No. 964 -- Memorials, Recognition -- Zackary "Google" Welch.

The Speaker announced that he had referred House Joint Resolution No. 964 to the Committee on Calendar.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

House Joint Resolution No. 966 -- Memorials, Recognition -- Williamson County Association of Realtors, 50th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 966 to the Committee on Calendar.

House Joint Resolution No. 967 -- Memorials, Recognition -- Christian Brothers Band, 140th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 967 to the Committee on Calendar.

House Joint Resolution No. 968 -- Memorials, Recognition -- Lake Forest Middle School Show Choir.

The Speaker announced that he had referred House Joint Resolution No. 968 to the Committee on Calendar.

House Joint Resolution No. 969 -- Memorials, Interns -- Bruce Harbin.

The Speaker announced that he had referred House Joint Resolution No. 969 to the Committee on Calendar.

House Joint Resolution No. 970 -- Memorials, Recognition -- Bethel University.

The Speaker announced that he had referred House Joint Resolution No. 970 to the Committee on Calendar.

House Joint Resolution No. 971 -- Memorials, Interns -- Cassiah Smith.

The Speaker announced that he had referred House Joint Resolution No. 971 to the Committee on Calendar.

House Joint Resolution No. 972 -- Memorials, Interns -- Byron Glenn.

The Speaker announced that he had referred House Joint Resolution No. 972 to the Committee on Calendar.

House Joint Resolution No. 973 -- Memorials, Interns -- Angel Dunson.

The Speaker announced that he had referred House Joint Resolution No. 973 to the Committee on Calendar.

House Joint Resolution No. 974 -- Memorials, Professional Achievement -- Sherri Brinkley, East Tennessee ESL Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 974 to the Committee on Calendar.

House Joint Resolution No. 975 -- Memorials, Professional Achievement -- Glenn McNish, George L. Hunter Distinguished Service Award and Greater Knoxville Sports Hall of Fame.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 975 to the Committee on Calendar.

House Joint Resolution No. 976 -- Memorials, Recognition -- Jimmy Wayne.

The Speaker announced that he had referred House Joint Resolution No. 976 to the Committee on Calendar.

House Joint Resolution No. 977 -- Memorials, Retirement -- Kay Garrison.

The Speaker announced that he had referred House Joint Resolution No. 977 to the Committee on Calendar.

Senate Joint Resolution No. 800 -- Memorials, Recognition -- Wilson Bank & Trust, 25th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 800 to the Committee on Calendar.

Senate Joint Resolution No. 801 -- Memorials, Interns -- John Brock.

The Speaker announced that he had referred Senate Joint Resolution No. 801 to the Committee on Calendar.

Senate Joint Resolution No. 802 -- Memorials, Interns -- Mina Mossad.

The Speaker announced that he had referred Senate Joint Resolution No. 802 to the Committee on Calendar.

Senate Joint Resolution No. 803 -- Memorials, Death -- Earl Eugene Scruggs.

The Speaker announced that he had referred Senate Joint Resolution No. 803 to the Committee on Calendar.

Senate Joint Resolution No. 804 -- Memorials, Academic Achievement -- Javon Michael Ford, Valedictorian, Ridgeway High School.

The Speaker announced that he had referred Senate Joint Resolution No. 804 to the Committee on Calendar.

Senate Joint Resolution No. 805 -- Memorials, Academic Achievement -- Esteban Andres Pilo-Pais, Salutatorian, Ridgeway High School.

The Speaker announced that he had referred Senate Joint Resolution No. 805 to the Committee on Calendar.

Senate Joint Resolution No. 807 -- Memorials, Interns -- Thomas Kyle Turner.

The Speaker announced that he had referred Senate Joint Resolution No. 807 to the Committee on Calendar.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senate Joint Resolution No. 808 -- Memorials, Interns -- Michael Anthony Ripley.

The Speaker announced that he had referred Senate Joint Resolution No. 808 to the Committee on Calendar.

Senate Joint Resolution No. 809 -- Memorials, Academic Achievement -- Ivan Chesterfield Biggs, Valedictorian, Cheatham County Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 809 to the Committee on Calendar.

Senate Joint Resolution No. 810 -- Memorials, Academic Achievement -- Kayla Elizabeth Winters, Salutatorian, Cheatham County Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 810 to the Committee on Calendar.

Senate Joint Resolution No. 811 -- Memorials, Academic Achievement -- Destiny Nicole LaGarce, Valedictorian, Sycamore High School.

The Speaker announced that he had referred Senate Joint Resolution No. 811 to the Committee on Calendar.

Senate Joint Resolution No. 812 -- Memorials, Academic Achievement -- Kristin Hope Knight, Salutatorian, Sycamore High School.

The Speaker announced that he had referred Senate Joint Resolution No. 812 to the Committee on Calendar.

Senate Joint Resolution No. 813 -- Memorials, Academic Achievement -- Anna Claire Robinson, Valedictorian, Harpeth High School.

The Speaker announced that he had referred Senate Joint Resolution No. 813 to the Committee on Calendar.

Senate Joint Resolution No. 814 -- Memorials, Academic Achievement -- Connor Andrew Reed, Valedictorian, Academy for Academic Excellence.

The Speaker announced that he had referred Senate Joint Resolution No. 814 to the Committee on Calendar.

Senate Joint Resolution No. 815 -- Memorials, Academic Achievement -- Ross Manley Svanberg, Salutatorian, Academy for Academic Excellence.

The Speaker announced that he had referred Senate Joint Resolution No. 815 to the Committee on Calendar.

Senate Joint Resolution No. 816 -- Memorials, Academic Achievement -- Martha Dawson Nicholson, Valedictorian, Clarksville Academy.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

The Speaker announced that he had referred Senate Joint Resolution No. 816 to the Committee on Calendar.

Senate Joint Resolution No. 817 -- Memorials, Academic Achievement -- Lauren Elizabeth Maki, Salutatorian, Clarksville Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 817 to the Committee on Calendar.

Senate Joint Resolution No. 818 -- Memorials, Academic Achievement -- Skyler Daniel Gordon, Valedictorian, Northeast High School.

The Speaker announced that he had referred Senate Joint Resolution No. 818 to the Committee on Calendar.

Senate Joint Resolution No. 819 -- Memorials, Academic Achievement -- Joseph Eugene Dallas, Salutatorian, Northeast High School.

The Speaker announced that he had referred Senate Joint Resolution No. 819 to the Committee on Calendar.

Senate Joint Resolution No. 820 -- Memorials, Academic Achievement -- Newton Earl Garner, Valedictorian, Northwest High School.

The Speaker announced that he had referred Senate Joint Resolution No. 820 to the Committee on Calendar.

Senate Joint Resolution No. 821 -- Memorials, Academic Achievement -- Della Margaret Coleman, Salutatorian, Northwest High School.

The Speaker announced that he had referred Senate Joint Resolution No. 821 to the Committee on Calendar.

Senate Joint Resolution No. 822 -- Memorials, Academic Achievement -- Kaitlyn Nichole Butler, Valedictorian, Rossview High School.

The Speaker announced that he had referred Senate Joint Resolution No. 822 to the Committee on Calendar.

Senate Joint Resolution No. 823 -- Memorials, Academic Achievement -- Caitlin Dawn Campbell, Salutatorian, Rossview High School.

The Speaker announced that he had referred Senate Joint Resolution No. 823 to the Committee on Calendar.

Senate Joint Resolution No. 824 -- Memorials, Academic Achievement -- Adriana Isabel Larsen, Valedictorian, West Creek High School.

The Speaker announced that he had referred Senate Joint Resolution No. 824 to the Committee on Calendar.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senate Joint Resolution No. 825 -- Memorials, Academic Achievement -- Austin Richard Wyer, Salutatorian, West Creek High School.

The Speaker announced that he had referred Senate Joint Resolution No. 825 to the Committee on Calendar.

Senate Joint Resolution No. 826 -- Memorials, Academic Achievement -- Geneva Mei Brennan Vezeau, Valedictorian, Clarksville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 826 to the Committee on Calendar.

Senate Joint Resolution No. 827 -- Memorials, Academic Achievement -- Mariah Paige Beane, Salutatorian, Clarksville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 827 to the Committee on Calendar.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement -- Alicia Marie Kingston, Valedictorian, Kenwood High School.

The Speaker announced that he had referred Senate Joint Resolution No. 828 to the Committee on Calendar.

Senate Joint Resolution No. 829 -- Memorials, Academic Achievement -- Lisa Ann Mitchell, Salutatorian, Kenwood High School.

The Speaker announced that he had referred Senate Joint Resolution No. 829 to the Committee on Calendar.

Senate Joint Resolution No. 830 -- Memorials, Academic Achievement -- Kristyn Leigh Simpson, Valedictorian, Montgomery Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 830 to the Committee on Calendar.

Senate Joint Resolution No. 831 -- Memorials, Academic Achievement -- Lauren Nicole Bone, Salutatorian, Montgomery Central High School.

The Speaker announced that he had referred Senate Joint Resolution No. 831 to the Committee on Calendar.

Senate Joint Resolution No. 832 -- Memorials, Recognition -- Julia Hopper Daniel.

The Speaker announced that he had referred Senate Joint Resolution No. 832 to the Committee on Calendar.

Senate Joint Resolution No. 833 -- Memorials, Recognition -- Dr. Joyce G. Crouch.

The Speaker announced that he had referred Senate Joint Resolution No. 833 to the Committee on Calendar.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senate Joint Resolution No. 834 -- Memorials, Recognition -- Ken Croom, Chamber of Commerce Businessman of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 834 to the Committee on Calendar.

Senate Joint Resolution No. 835 -- Memorials, Recognition -- Dan Sanders, Chamber of Commerce Ambassador of the Year Award.

The Speaker announced that he had referred Senate Joint Resolution No. 835 to the Committee on Calendar.

Senate Joint Resolution No. 836 -- Memorials, Recognition -- Christine Ralph, Chamber of Commerce Volunteer of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 836 to the Committee on Calendar.

Senate Joint Resolution No. 837 -- Memorials, Death -- Julene Purser Morgan.

The Speaker announced that he had referred Senate Joint Resolution No. 837 to the Committee on Calendar.

Senate Joint Resolution No. 838 -- Memorials, Recognition -- Walt Goolsby.

The Speaker announced that he had referred Senate Joint Resolution No. 838 to the Committee on Calendar.

Senate Joint Resolution No. 839 -- Memorials, Recognition -- Wilma Brummett.

The Speaker announced that he had referred Senate Joint Resolution No. 839 to the Committee on Calendar.

Senate Joint Resolution No. 840 -- Memorials, Recognition -- Loretta Painter.

The Speaker announced that he had referred Senate Joint Resolution No. 840 to the Committee on Calendar.

Senate Joint Resolution No. 841 -- Memorials, Academic Achievement -- Kaitlyn Elizabeth Boggs, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 841 to the Committee on Calendar.

Senate Joint Resolution No. 842 -- Memorials, Academic Achievement -- Justin Andrew Cockrell, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 842 to the Committee on Calendar.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senate Joint Resolution No. 843 -- Memorials, Academic Achievement -- Teresa Jill Mitchell, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 843 to the Committee on Calendar.

Senate Joint Resolution No. 844 -- Memorials, Academic Achievement -- Kelli Nicole Parker, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 844 to the Committee on Calendar.

Senate Joint Resolution No. 845 -- Memorials, Academic Achievement -- Riley Elizabeth Pitts, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 845 to the Committee on Calendar.

Senate Joint Resolution No. 846 -- Memorials, Academic Achievement -- Sean John-Robert Settle, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 846 to the Committee on Calendar.

Senate Joint Resolution No. 847 -- Memorials, Academic Achievement -- Sarah Jessica Thibault, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 847 to the Committee on Calendar.

Senate Joint Resolution No. 848 -- Memorials, Academic Achievement -- Quinton Craig Roby, Salutatorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 848 to the Committee on Calendar.

Senate Joint Resolution No. 849 -- Memorials, Retirement -- Sergeant First Class Edward Tyree.

The Speaker announced that he had referred Senate Joint Resolution No. 849 to the Committee on Calendar.

NOTICES

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 74, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 18, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2727, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3262, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3358, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3216, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 777 -- Memorials, Death -- Elmer W. Counce.

House Joint Resolution No. 873 -- Memorials, Interns -- Kristen Lawson.

House Joint Resolution No. 874 -- Memorials, Sports -- Friendship Christian School boys basketball team, Class A State Championship.

House Joint Resolution No. 875 -- Memorials, Academic Achievement -- Adrian Ricketts, Salutatorian, Friendship Christian School.

House Joint Resolution No. 876 -- Memorials, Academic Achievement -- Emily Sherrill, Valedictorian, Friendship Christian School.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

House Joint Resolution No. 877 -- Memorials, Academic Achievement -- Meagen Amber Soper, Top Ten, Volunteer High School.

House Joint Resolution No. 878 -- Memorials, Academic Achievement -- Payton Keith Arnold, Top Ten, Volunteer High School.

House Joint Resolution No. 879 -- Memorials, Academic Achievement -- Brandi Michelle Lewis, Top 10, Volunteer High School.

House Joint Resolution No. 880 -- Memorials, Academic Achievement -- Jacob Spradley, Top Ten, Volunteer High School.

House Joint Resolution No. 881 -- Memorials, Academic Achievement -- William James Powell, Top Ten, Volunteer High School.

House Joint Resolution No. 882 -- Memorials, Academic Achievement -- Mollie Love Carr, Top Ten, Volunteer High School.

House Joint Resolution No. 883 -- Memorials, Academic Achievement -- Andrew Mark Peters, Top Ten, Volunteer High School.

House Joint Resolution No. 884 -- Memorials, Academic Achievement -- Amanda Paige McNally, Top Ten, Volunteer High School.

House Joint Resolution No. 885 -- Memorials, Academic Achievement -- Aurora Leann Baker, Top Ten, Volunteer High School.

House Joint Resolution No. 886 -- Memorials, Academic Achievement -- Caitlin Nicole Ladd, Top 10, Volunteer High School.

House Joint Resolution No. 887 -- Memorials, Recognition -- Alcoa Middle School, Tennessee State Scholastic Team Chess Champions.

House Joint Resolution No. 888 -- Memorials, Interns -- Carlee Greene.

House Joint Resolution No. 889 -- Memorials, Death -- James Harvey Shelton.

House Joint Resolution No. 893 -- Memorials, Personal Achievement -- Phillip Alexander Seeley, Eagle Scout.

House Joint Resolution No. 894 -- Memorials, Personal Achievement -- Christopher M. Randall, Eagle Scout.

House Joint Resolution No. 895 -- Memorials, Academic Achievement -- Zachary Timothy Dye, Valedictorian, Rhea County High School.

House Joint Resolution No. 896 -- Memorials, Academic Achievement -- Ashley Truong, Valedictorian, Kingsbury High School.

House Joint Resolution No. 897 -- Memorials, Academic Achievement -- Keriyon Hunter, Salutatorian, Kingsbury High School.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

House Joint Resolution No. 898 -- Memorials, Academic Achievement -- Zalondria Michelle Graham, Valedictorian, Craigmont High School.

House Joint Resolution No. 899 -- Memorials, Academic Achievement -- Luan Tran, Salutatorian, Craigmont High School.

House Joint Resolution No. 900 -- Memorials, Academic Achievement -- Irvin Mull, Valedictorian, Northside High School.

House Joint Resolution No. 901 -- Memorials, Academic Achievement -- Nortoria Taper, Salutatorian, Northside High School.

House Joint Resolution No. 902 -- Memorials, Recognition -- Apostle William A. Adkins, Jr., and First Lady Linda Kerr Adkins.

House Joint Resolution No. 903 -- Memorials, Recognition -- Rev. Robert Earl Jones, Sr., and First Lady Harriet Noel Jones.

House Joint Resolution No. 904 -- Memorials, Recognition -- Bishop Edward Houston Stephens, Jr., and Elder Beverly Clark Stephens.

House Joint Resolution No. 905 -- Memorials, Recognition -- Pastor Ricky Floyd, and Co-Pastor Sheila Floyd.

House Joint Resolution No. 906 -- Memorials, Recognition -- Pastor Elliot R. Shelton, Sr., and Jeaneen Shelton.

House Joint Resolution No. 907 -- Memorials, Recognition -- Breath of Life Christian Center, 30th anniversary.

House Joint Resolution No. 908 -- Memorials, Academic Achievement -- Charles Lee Gross, Jr., Valedictorian, Trezevant High School.

House Joint Resolution No. 909 -- Memorials, Academic Achievement -- Elishuwa Keith Miller, Salutatorian, Trezevant High School.

House Joint Resolution No. 910 -- Memorials, Recognition -- R.C. Bartlett.

House Joint Resolution No. 912 -- Memorials, Personal Achievement -- Seth Andrew Morton, Eagle Scout.

House Joint Resolution No. 913 -- Memorials, Personal Occasion -- Bill and Beth Miller, 50th wedding anniversary.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 2345 -- Sunset Laws -- As introduced, extends the judicial performance evaluation commission, June 30, 2013. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4, Part 2.

On motion, Senate Bill No. 2345 was made to conform with **House Bill No. 2537**.

On motion, House Bill No. 2537, on same subject, was substituted for Senate Bill No. 2345.

House Joint Resolution No. 620 -- Naming and Designating -- "Mental Illness Awareness Week" in Tennessee, October 1-7, 2012.

Senator Faulk moved that all House Joint Resolutions be concurred in; and all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 693 -- Constitutional Amendments -- As introduced, proposes an amendment to Article VI, Section 5 to provide for selection of the state attorney general by means of gubernatorial appointment with legislative confirmation; and provides for a four-year term of office, as amended.

Senator Beavers moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 693**, as amended, had been read.

Senator Kelsey moved that **Senate Joint Resolution No. 710**, as amended, be placed on the Calendar for Monday, April 23, 2012, which motion prevailed.

Senate Bill No. 250 -- Tort Liability and Reform -- As introduced, enacts certain tort reforms. Amends TCA Title 20; Title 22; Title 29 and Title 63.

On motion, Senate Bill No. 250 was made to conform with **House Bill No. 182**.

On motion, House Bill No. 182, on same subject, was substituted for Senate Bill No. 250.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following as a new part:

29-34-401.

For purposes of this part:

(1) "Ice skating rink" means a facility that is designed for ice-skating and that is used by the public for recreational or competitive ice-skating;

(2) "Operator" means a person who owns, controls, or has operational responsibility for an ice-skating facility, or the agent of that person; and

(3) "Spectator" means an individual who is present at an ice-skating rink to observe ice-skating.

29-34-402.

(a) An operator shall not be liable for damage or injuries to an ice-skater or spectator where the operator complies with the requirements of § 29-34-403.

(b) A person who participates as an ice-skater at an ice skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of that participation and shall comply with the requirements of § 29-34-404.

(c) A spectator at an ice-skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of being a spectator and shall comply with the requirements of § 29-34-404.

29-34-403.

(a) An operator shall:

(1) Provide at least one (1) individual to act as a rink monitor for approximately every two hundred (200) skaters at any given time that ice-skating is open to the public;

(2) Conduct periodic inspections of the ice, skating equipment and all other equipment in a manner that will ensure a safe operating condition;

(3) Comply with all guidelines for ice skating rinks endorsed or recommended by the Ice Skating Institute;

(4) Post duties and expectations of skaters and spectators as prescribed by this chapter in conspicuous places;

(5) Maintain liability insurance coverage of at least one million dollars (\$1,000,000) per single limit for personal-injury death or property damage; and

(6) Maintain accurate records and daily logs for the ice-skating facility.

(b) The rink monitor shall:

(1) Wear appropriate attire as to identify the individual as a rink monitor;

(2) Direct and supervise skaters and spectators;

(3) Watch for and remove in a timely manner any foreign objects that may have fallen off the ice surface; and

(4) Inspect and maintain, or request maintenance of, the ice surface, floors, railings, boards, and walls surrounding the surface in a manner that will ensure the good condition of those areas.

29-34-404.

(a) Skaters in an ice-skating rink shall:

(1) Comply with all posted signs and warnings that relate to the skater's behavior while participating in ice-skating at the ice skating rink;

(2) Obey all instructions or warnings given by the rink monitor, rink personnel or rink operator;

(3) Maintain reasonable control over skate speed and direction at all times;

(4) Be aware that there are other skaters and objects on the ice surface and take reasonable care to avoid collision with those skaters or objects; and

(5) Be aware that ability and skill levels of ice-skaters vary and each individual must take reasonable care to ice-skate within the individual's personal abilities.

(b) Ice-skaters shall not act in a manner that may cause injury or damage to others or their property.

(c) Spectators shall comply with each posted sign or warning that relates to the behavior of the spectator.

29-34-405.

(a) This part shall not limit the liability of one (1) ice-skater or spectator to another ice-skater or spectator.

(b) This part shall not apply where an operator engages in behavior that amounts to gross negligence, or willful or wanton conduct.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 182**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	2

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Henry, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Yager and Mr. Speaker Ramsey--29.

Senators voting no were: Finney and Herron--2.

A motion to reconsider was tabled.

Senate Bill No. 2120 -- Tort Liability and Reform -- As introduced, revises certain provisions regarding tort actions and damages. Amends TCA Title 20; Title 27; Title 29 and Title 47.

Senator Berke declared Rule 13 on **Senate Bill No. 2120**.

Senator Norris declared Rule 13 on **Senate Bill No. 2120**.

On motion, Senate Bill No. 2120 was made to conform with **House Bill No. 2161**.

On motion, House Bill No. 2161, on same subject, was substituted for Senate Bill No. 2120.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2161** passed its third and final consideration by the following vote:

Ayes	27
Noes	3

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Watson, Yager and Mr. Speaker Ramsey--27.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senators voting no were: Campfield, Kelsey and Summerville--3.

A motion to reconsider was tabled.

Senate Bill No. 2590 -- Criminal Offenses -- As introduced, grants immunity from prosecution of prostitution where a person is a victim of involuntary labor servitude, sexual servitude, or where the person is a victim as defined under the federal "Trafficking Victims Protection Act". Amends TCA Title 39 and Title 40.

On motion, Senate Bill No. 2590 was made to conform with **House Bill No. 2823**.

On motion, House Bill No. 2823, on same subject, was substituted for Senate Bill No. 2590.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2823** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 2604 -- Bail, Bail Bonds -- As introduced, declares a defendant who is unlawfully present in the United States and has committed certain traffic violations to be deemed a risk of flight for bail purposes; authorizes clerks to set bail for such defendants at a higher amount than normally permitted. Amends TCA Title 39; Title 40 and Title 55.

Senator McNally moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting from the amendatory language of Section 1 the language "shall" and substituting instead the language "may".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2604**, as amended, passed its third and final consideration by the following vote:

Ayes	26
Noes	2

Senators voting aye were: Barnes, Beavers, Bell, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Johnson, Kelsey, Ketron, Kyle, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--26.

Senators voting no were: Henry and Marrero--2.

A motion to reconsider was tabled.

Senate Bill No. 2667 -- DNA and Genetic Testing -- As introduced, adds five homicide offenses to the list of violent offenses for which a DNA sample is taken and stored in the database upon arrest rather than conviction. Amends TCA Title 40, Chapter 35, Part 3.

Senate Bill No. 2667 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Kelsey moved that **Senate Bill No. 2705** be placed on the Calendar for Monday, April 23, 2012, which motion prevailed.

Senate Bill No. 2719 -- Tort Liability and Reform -- As introduced, codifies the liability of a landowner to a trespasser. Amends TCA Title 29.

Senator Norris declared Rule 13 on **Senate Bill No. 2719**.

Senator Faulk declared Rule 13 on **Senate Bill No. 2719**.

Senator Overbey declared Rule 13 on **Senate Bill No. 2719**.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following as a new section thereto:

29-34-208.

(a) As used in this section:

(1) "Possessor of real property" means the owner, lessee, renter, or other lawful occupant of real property; and

(2) "Trespasser" means a person who enters or remains on the real property of another without actual or implied permission, or a person who engages in conduct that constitutes a criminal trespass offense under §§ 39-14-405 – 39-14-407.

(b) A possessor of real property owes no duty of care to a trespasser except to refrain from willfully, with negligence so gross as to amount to willfully, intentionally, or wantonly causing injury; provided, however, a possessor of real property may willfully, with negligence so gross as to amount to willfully, or intentionally cause injury to a trespasser or use force to prevent or terminate a trespass or criminal offense as permitted at common law, under §§ 39-11-611 – 39-11-616, and under § 29-34-201.

(c) Notwithstanding subsection (b), a possessor of real property is subject to liability for physical injury or death to a child trespasser if:

(1) The possessor maintained a dangerous condition that was not a natural condition and the possessor knew or should have known the condition posed a risk of death or serious bodily harm to trespassing children;

(2) The possessor knew or should have known children were likely to trespass onto the property, either because they would be lured there by the dangerous condition or because children regularly use the property as a playground;

(3) The dangerous condition was not apparent, or children, because of their youth, would be unlikely to discover and comprehend the risk;

(4) The usefulness to the possessor of maintaining the dangerous condition and the burden of eliminating the danger were significantly outweighed by the risk of harm to children who would foreseeably trespass onto the property; and

(5) The possessor failed to use reasonable care to eliminate the danger or otherwise protect the children.

(d) This section shall not be construed to create or increase the liability of any possessor of real property or to affect any immunities from or defenses to liability established by another section of the codes or available at common law to which a possessor of real property may be entitled.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2719**, as amended, passed its third and final consideration by the following vote:

Ayes	25
Noes	5
Present, not voting . . .	2

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Finney, Ford, Gresham, Johnson, Kelsey, Ketron, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--25.

Senators voting no were: Faulk, Haynes, Herron, Kyle and Marrero--5.

Senators present and not voting were: Harper and Henry--2.

A motion to reconsider was tabled.

Senate Bill No. 2789 -- Malpractice -- As introduced, permits healthcare providers to use a HIPAA release in potential medical malpractice claims to receive all medical records of the patient filing the claim from other healthcare providers; authorizes the attorney of the healthcare provider to receive mental health and drug and alcohol abuse treatment records; and allows the attorney to interview the patient's healthcare providers to defend the claim. Amends TCA Section 29-26-121.

Senator Overbey declared Rule 13 on **Senate Bill No. 2789**.

Senator Faulk declared Rule 13 on **Senate Bill No. 2789**.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 29-26-121, is amended by adding the following:

(f)(1) Upon the filing of any "healthcare liability action", as defined in Section 29-26-101(a)(1), the named defendant(s) may petition the court for a qualified protective order allowing the defendant(s) and their attorneys the right to obtain protected health information during interviews, outside the presence of claimant or claimant's counsel, with the relevant patient's treating "healthcare providers", as defined by Section 29-26-101(a)(2). Such petition shall be granted under the following conditions:

(A) The petition must identify the treating healthcare provider(s) for whom the defendant(s) seek a qualified protective order to conduct an interview;

(B) The claimant may file an objection seeking to limit or prohibit the defendant(s) or the defendant(s)' counsel from conducting the interviews, which may be granted only upon good cause shown that a treating healthcare provider does not possess relevant information as defined by the Tennessee Rules of Civil Procedure; and

(C) The qualified protective order shall expressly limit the dissemination of any protected health information to the litigation pending before the court.

(2) Any disclosure of protected health information by a healthcare provider in response to a court order under this section shall be deemed a permissible disclosure under Tennessee law, any Tennessee statute or rule of common law notwithstanding.

(3) Nothing in this part shall be construed as restricting in any way, the right of a defendant or defendant's counsel from conducting interviews outside the presence of claimant or claimant's counsel with the defendant's own present or former employees, partners, or owners concerning a healthcare liability action.

SECTION 2. This act shall take effect July 1, 2012, and shall apply to all healthcare liability actions commenced on or after July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

On motion of Senator Overbey, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 2789**, as amended, passed its third and final consideration by the following vote:

Ayes	21
Noes	9
Present, not voting . . .	2

Senators voting aye were: Beavers, Bell, Burks, Campfield, Crowe, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, McNally, Norris, Roberts, Southerland, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Barnes, Berke, Faulk, Finney, Haynes, Herron, Kyle, Marrero and Stewart--9.

Senators present and not voting were: Massey and Overbey--2.

A motion to reconsider was tabled.

Senator Kelsey moved that **Senate Bill No. 2893** be placed on the Calendar for Monday, April 23, 2012, which motion prevailed.

Senate Bill No. 3247 -- Schools, Charter -- As introduced, revises charter school application process time frames; permits LEAs to charge charter school applicants an application fee; changes current law to allow, not mandate, charter school teacher participation in group insurance plans offered by the LEA. Amends TCA Title 49, Chapter 13.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-13-106(b)(1)(A), is amended by deleting the language "October 1" and by substituting instead the language "April 1".

SECTION 2. Tennessee Code Annotated, Section 49-13-107(b), is amended by deleting the language "October 1" and by substituting instead the language "April 1".

SECTION 3. Tennessee Code Annotated, Section 49-13-121(b), is amended by deleting the language "October 1" and by substituting instead the language "April 1".

SECTION 4. Tennessee Code Annotated, Section 49-13-108(a)(1), is amended by deleting the language "sixty (60)" wherever it appears and by substituting instead the language "ninety (90)".

SECTION 5. Tennessee Code Annotated, Section 49-13-108(a)(2), is amended by deleting the language "fifteen (15)" wherever it appears and by substituting instead the language "thirty (30)".

SECTION 6. Tennessee Code Annotated, Section 49-13-108(a), is amended by adding the following language as new subdivision (4):

(4) LEAs may charge applicants an application fee in an amount approved by the local board of education. The application fee shall not exceed five hundred dollars (\$500) per application.

SECTION 7. Tennessee Code Annotated, Section 49-13-119, is amended by deleting the word "shall" and by substituting instead the word "may".

SECTION 8. Tennessee Code Annotated, Section 49-13-107, is amended by adding the following new subsection (c):

(c) LEAs shall require no more than five (5) paper copies of the application in addition to an electronic version of the application.

SECTION 9. Tennessee Code Annotated, Section 49-13-112(b)(3), is amended by designating the existing language as subdivision (A) and by adding the following language as new subdivisions (B) and (C):

(B) If the charter school chooses to contract with the LEA for facilities or services, except for contract services for employee benefits or Tennessee Consolidated Retirement System contributions, then the charter agreement may permit and require that the LEA withhold up to one percent (1%) of funds that are due to the charter school in each year of the first four (4) years of the charter school's operation; provided, however, that such withholding shall not exceed twenty thousand dollars (\$20,000) annually. These funds shall be placed into an account to be held to reimburse LEAs for any monies owed to it by the charter school for payment and for any outstanding debts of the charter school should the charter school close within the first four (4) years of operation. At the beginning of the charter school's fifth year of operation, the LEA shall remit the accumulated funds, including any interest earned, to the charter school. This subdivision (B) shall not apply to charter schools in existence on July 1, 2012, nor to new or expanded charter schools that are sponsored by a sponsor which has operated a charter school in the LEA for more than four (4) years.

(C) Notwithstanding subdivision (B), if the charter agreement includes an agreement with the LEA for services for employee benefits or retirement, then the LEA may withhold funds to cover the costs of those services.

SECTION 10. Sections 1, 2 and 3 of this act shall take effect on January 1, 2013, the public welfare requiring it. All other sections of this act shall take effect July 1, 2012, the public welfare requiring it, and shall apply to sponsors submitting applications after the effective date of this act.

On motion, Amendment No. 1 was adopted.

Senator Berke moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting in its entirety Section 7 of the bill as amended.

Pursuant to Rule 39(3), Amendment No. 2 was adopted by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

Thereupon, **Senate Bill No. 3247**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senate Bill No. 3279 -- Child Custody and Support -- As introduced, allows the court, in its discretion, in appropriate cases, to order child support for postsecondary education. Amends TCA Title 34 and Title 36.

Senator Overbey declared Rule 13 on **Senate Bill No. 3279**.

On motion, Senate Bill No. 3279 was made to conform with **House Bill No. 3468**.

On motion, House Bill No. 3468, on same subject, was substituted for Senate Bill No. 3279.

Senator Kelsey moved that **House Bill No. 3468** be placed on the Calendar for Monday, April 23, 2012, which motion prevailed.

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering the Message Calendar next, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2591 -- Education -- As introduced, requires interest inventories to be administered to high school juniors and college sophomores to assist students in career decisions. Amends TCA Title 49.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 4, is amended by adding the following language as a new, appropriately designated section:

49-6-4__. An interest inventory such as the Kuder assessment, Myers-Briggs Type Indicator personality inventory, the ASVAB, the EXPLORE administered by ACT, Inc., or MyRoad provided by the College Board, or other interest or career inventory shall be available to all public middle schoolers or ninth graders to assist students in determining their interests and in making career decisions. Summary data obtained from the interest inventories and personality profiles administered under this section shall be sent annually by the LEAs to the State Board of Education. The state board shall consider the data in making decisions concerning curricula for public school students that is relevant to their career decisions and academic strengths and weaknesses.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

49-7-1__. An interest inventory such as the Kuder assessment, Myers-Briggs Type Indicator personality inventory, the ASVAB or other interest or career exploration inventory shall be available to all public postsecondary students beginning in their freshman year as a follow up to the interest inventory available to all public middle schoolers or ninth graders and to further assist students in determining their interests and in making career decisions. Summary data obtained from the interest inventories and personality profiles administered under this section shall be sent annually by the postsecondary institutions to the State Board of Education. The state board shall consider the data in making decisions concerning curricula for public school students that is relevant to their career decisions and academic strengths and weaknesses.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senator Marrero moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2591**, which motion prevailed by the following vote:

Ayes 31
Noes 1

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

Senator voting no was: Summerville--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2784 -- General Assembly -- As introduced, corrects references remaining in TCA to oversight committees that were abolished by Chapter 410 of the Public Acts of 2011.

HOUSE AMENDMENT NO. 1

AMEND by deleting in the directory language of Section 9 the language "71-5-2005(f)" and substituting instead the language "71-5-2005(h)".

AND FURTHER AMEND by adding the following as new sections to the bill, immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-51-111(c)(3)(D), is amended by deleting the language "the select committee on the Tennessee education lottery corporation and".

SECTION ____ Tennessee Code Annotated, Section 4-51-112(b)(2), is amended by deleting the language "legislative select committee" and substituting instead "State and Local Government Committees of the Senate and House of Representatives".

SECTION ____ Tennessee Code Annotated, Section 4-51-116(c), is amended by deleting the language "legislative select committee" and substituting instead the language "State and Local Government Committees of the Senate and House of Representatives".

SECTION ____ Tennessee Code Annotated, Section 4-51-129(4)(C), is amended by deleting the "select committee chairs" and substituting instead the language "Chairs of the State and Local Government Committees of the Senate and House of Representatives".

Senator Watson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2784**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3269 -- Dentists and Dentistry -- As introduced, requires dentists and dental hygienists to show license on request to a patient; requires board of dentistry's annual report to the governor to be submitted by March 1 of each year. Amends TCA Title 63, Chapter 5.

HOUSE AMENDMENT NO. 2

AMEND by deleting the language "general supervision § 63-5-108(c)(5), must have actively practiced as a licensed dental hygiene for at least five (5) years and have practiced two thousand (2,000) hours in the preceding five (years)" from subdivision (d)(2) of the amendatory language of Section 3, as amended, and by substituting instead the following:

general supervision as authorized by § 63-5-108(c)(5), must have actively practiced as a licensed dental hygienist for at least five (5) years and have practiced two thousand (2,000) hours in the preceding five (5) years

Senator Tracy moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 3269**, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3751 -- Education, Higher -- As introduced, requires public institutions of higher education to report annually to the Education Committees of the Senate and the House on the filling of positions at the institutions. Amends TCA Title 49, Chapter 7, Part 1.

HOUSE AMENDMENT NO. 3

AMEND by deleting the language "seven (7) business days" in the amendatory language of Section 1 and by substituting instead the language "fifteen (15) calendar days".

Senator Tracy moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 3751**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1105 -- Education -- As introduced, requires an LEA revising its policy prohibiting harassment, intimidation, or bullying, which was filed with the Commissioner of Education, to transmit the revised policy to the commissioner. Amends TCA Title 49.

Senator Gresham moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 2 to **House Bill No. 1105**, which motion prevailed.

MOTION

Senator Faulk moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering Consent Calendar No. 3 consisting of the following resolutions: **House Joint Resolutions Nos. 985, 997, 998, 999, 1000 and 1002**, which motion prevailed.

CONSENT CALENDAR NO. 3

House Joint Resolution No. 985 -- Memorials, Recognition -- Reverend Dr. Coleman Crawford, Jr.

House Joint Resolution No. 997 -- Memorials, Academic Achievement -- Darius McGee, Salutatorian, Frederick Douglass High School.

House Joint Resolution No. 998 -- Memorials, Academic Achievement -- Ashley Caston, Valedictorian, Frederick Douglass High School.

House Joint Resolution No. 999 -- Memorials, Academic Achievement -- Sovanchamrean Yos, Valedictorian, Raleigh-Egypt High School.

House Joint Resolution No. 1000 -- Memorials, Academic Achievement -- Maira Lopez, Salutatorian, Raleigh-Egypt High School.

House Joint Resolution No. 1002 -- Memorials, Retirement -- Cathy Todd Rader.

Senator Faulk moved that all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 30
Noes 0

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

MOTION

Senator Roberts moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Resolution No. 107**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Resolution No. 107 by Senator Roberts.
Memorials, Interns -- Mark Andrew Rhodes.

On motion of Senator Roberts, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 107** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Ford moved that Rules 83(8) and 83(11) be suspended for the purpose of placing **Senate Joint Resolution No. 635** on the calendar for the Committee on Finance, Ways and Means for Monday, April 23, 2012, which motion prevailed.

RECALL OF BILL

On motion of Senator Burks, **Senate Bill No. 104** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Senator Burks moved that Senate Bill No. 104 be referred to the Committee on Energy and Environment, which motion prevailed.

MOTION

Senator Norris moved that Rule 37 be suspended for the limited purpose of placing **Senate Bills Nos. 3762, 3763, 3768, 3769, 3770 and 3771** on the Calendar for Tuesday, April 24, 2012, at 1:00 p.m., if recommended for passage by the Committee on Finance, Ways and Means Monday, April 23, 2012, which motion prevailed.

RECALL OF BILL

On motion of Senator Kelsey, **Senate Bill No. 3155** was recalled from the Committee on Calendar.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

REFERRAL OF BILL

Senator Kelsey moved that Senate Bill No. 3155 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

Senator Norris moved that the Proposed Schedule for the week of April 23, 2012, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
107th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF APRIL 23, 2012**

MONDAY – April 23

10:00 a.m. – 11:30 a.m.	Finance, Ways & Means Committee
11:30 a.m.	Budget Subcommittee
	Finance, Ways & Means Committee (Immediately after Budget Subcommittee)
5:00 p.m.	Session – Senate Chamber

TUESDAY – April 24

8:30 a.m. – 9:00 a.m.	Transportation & Safety Committee
9:00 a.m. – 9:30 a.m.	State & Local Government Committee
9:30 a.m. – 1:00 p.m.	Finance, Ways & Means Committee
1:00 p.m.	Session – Senate Chamber

WEDNESDAY – April 25

8:30 a.m.	Session – Senate Chamber
-----------	--------------------------

MOTION

On motion of Senator Berke, his name was added as sponsor of **Senate Bills Nos. 2075, 2120, 2719 and 2789.**

On motion of Mr. Speaker Ramsey, his name was added as sponsor of **Senate Bill No. 2580.**

On motion of Senators Burks, Harper, Kyle and Yager, their names were added as sponsors of **Senate Bill No. 2590.**

On motion of Senator Roberts, his name was added as sponsor of **Senate Bill No. 2604.**

On motion of Senator Burks and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Bill No. 2667.**

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

On motion of Senator Bell, his name was added as sponsor of **Senate Bills Nos. 3323 and 3412.**

On motion of Senator Herron, his name was added as prime sponsor of **Senate Bill No. 3816.**

On motion of Senator Yager, his name was removed as sponsor of **Senate Bill No. 3816.**

On motion of Senator Beavers, her name was added as sponsor of **Senate Joint Resolution No. 710; and House Joint Resolutions Nos. 874, 875 and 876.**

On motion of Senators Faulk, Finney and Tracy, their names were added as sponsors of **Senate Joint Resolution No. 777.**

On motion of Senators Berke, Burks, Crowe, Finney, Ford, Harper, Marrero and Tracy, their names were added as sponsors of **House Joint Resolution No. 620.**

On motion of Senator Barnes, his name was added as sponsor of **House Joint Resolution No. 873.**

On motion of Senator Faulk, his name was added as sponsor of **House Joint Resolutions Nos. 877, 878, 879, 880, 881, 882, 883, 884, 885 and 886.**

On motion of Senator Overbey, his name was added as sponsor of **House Joint Resolutions Nos. 887 and 888.**

On motion of Senator Gresham, her name was added as sponsor of **House Joint Resolution No. 889.**

On motion of Senator Yager, his name was added as sponsor of **House Joint Resolutions Nos. 893, 894 and 895.**

On motion of Senators Ford, Kyle and Marrero, their names were added as sponsors of **House Joint Resolutions Nos. 896, 897, 898, 899, 900, 901, 908, 909, 998 and 999.**

On motion of Senators Ford, Herron, Kyle and Marrero, their names were added as sponsors of **House Joint Resolutions Nos. 902, 903, 904, 905, 906 and 907.**

On motion of Senators Herron and Overbey, their names were added as sponsors of **House Joint Resolution No. 912.**

On motion of Senator Johnson, his name was added as sponsor of **House Joint Resolution No. 963.**

On motion of Senators Ford, Kelsey, Kyle, Marrero, Norris, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Henry, Herron, Johnson, Ketron, Massey, McNally, Overbey, Roberts, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 985.**

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

On motion of Senators Kyle and Marrero, their names were added as sponsors of **House Joint Resolutions Nos. 997 and 1000.**

On motion of Senators Harper, Haynes and Henry, their names were added as sponsors of **House Joint Resolution No. 1002.**

ENGROSSED BILLS

April 19, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2604, 2667, 2719, 2789 and 3247; and Senate Joint Resolution No. 777; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3276, passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3431, passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 824, 847, 978, 979, 981, 982, 983, 984, 985, 986 and 987; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 997, 998, 999 and 1000; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 1002, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 3003, 3217 and 3403; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 567, concurred in by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775; concurred in by the House.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

April 19, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 2591, 2784, 3003, 3217, 3269, 3403 and 3751; Senate Joint Resolutions Nos. 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775; and Senate Resolution No. 107; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk.

ENROLLED BILLS

April 19, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 2871, 2912, 3174, 3222 and 3233; Senate Joint Resolutions Nos. 751, 752, 753, 754, 755, 756, 757, 758, 761, 763 and 764; and Senate Resolution No. 97; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1069, 2222, 2459, 2620, 2650, 2671, 2750, 2752, 2859, 2890, 2895, 3237, 3257, 3283 and 3633; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 20, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 620, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 985, 997, 998, 999, 1000 and 1002; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

April 19, 2012

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 751, 752, 753, 754, 755, 756, 757, 758, 761, 763 and 764; and Senate Resolution No. 97.

SIGNED

April 20, 2012

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 567, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775; and Senate Resolution No. 107.

SIGNED

April 20, 2012

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 620, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 985, 997, 998, 999, 1000 and 1002.

THURSDAY, APRIL 19, 2012 -- 74TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1429, 1864, 2241, 2274, 2462, 2463, 2587, 2596, 2755, 2852, 2879, 2970, 3062, 3165, 3179, 3257, 3345, 3549, 3602, 3608, 3801 and 3803; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 19, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 751, 752, 753, 754, 755, 756, 757, 758, 761, 763 and 764; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 20, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 567, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

REPORT OF DEPUTY CHIEF CLERK

April 19, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1429, 1864, 2241, 2274, 2462, 2463, 2587, 2596, 2755, 2852, 2879, 2970, 3062, 3165, 3179, 3257, 3345, 3549, 3602, 3608, 3801 and 3803; and Senate Joint Resolutions Nos. 533, 734, 735, 736, 737, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750 and 806; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk.

REPORT OF DEPUTY CHIEF CLERK

April 20, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 751, 752, 753, 754, 755, 756, 757, 758, 761, 763 and 764; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk.

MESSAGE FROM THE GOVERNOR

April 19, 2012

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2166, 2235, 2341, 2566, 2698, 2707, 2785, 2844, 2870, 2900, 3123, 3234, 3283, 3385, 3394, 3397, 3447, 3556 and 3558; with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 23, 2012: Senate Joint Resolutions Nos. 781, 782, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868 and 869; Senate Resolutions Nos. 98, 99, 100, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120 and 121; and House Joint Resolutions Nos. 636, 773, 783, 824, 843, 847, 914, 915, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 934, 935, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 948, 949, 950, 951, 952, 954, 955, 956, 957, 958, 959, 961, 962, 963, 964, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 981, 982, 983, 984, 986 and 987.

This the 20th day of April, 2012.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 23, 2012: Senate Bills Nos. 2922 and 3620; and Senate Joint Resolution No. 668.

This the 20th day of April, 2012.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Monday, April 23, 2012: Senate Bills Nos. 3797, 3798 and 3810.

This the 20th day of April, 2012.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, April 23, 2012: Senate Bills Nos. 3323, 3412 and 3458; House Joint Resolutions Nos. 587 and 614; Senate Bills Nos. 233, 3535 and 3597; House Bill No. 1572; Senate Bills Nos. 2179, 2638, 3142 and 3275; House Bill No. 2844; Senate Joint Resolutions Nos. 693 and 710; Senate Bills Nos. 2206, 2705, 2741 and 2893; and House Bill No. 3468.

This the 20th day of April, 2012.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, April 23, 2012: Senate Bills Nos. 68, 74, 2607, 2727, 2920, 3216, 3241, 3262 and 3358.

This the 20th day of April, 2012.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR # 1

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Tuesday, April 24, 2012: Senate Bills Nos. 3762, 3763, 3768, 3769, 3770 and 3771.

This the 20th day of April, 2012.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR # 2

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Tuesday, April 24, 2012: Senate Bills Nos. 1038, 1452, 1493, 1715, 1738, 1935, 2129, 2177, 2182, 2249, 2251, 2253, 2292, 2327, 2339, 2388, 2510, 2580, 2686, 2701, 2773, 2809, 2836, 2853, 2890, 2895, 2923, 2929, 2949, 3018, 2280, 3022, 3027, 3065, 3070, 3092, 3094, 3106, 3207, 3248, 3264, 3330, 3337, 3350, 3590, 3657, 3658, 3659, 3743, 3790 and 3808; Senate Joint Resolutions Nos. 762 and 725; and House Joint Resolutions Nos. 599, 667, 734, 742 and 743.

This the 20th day of April, 2012.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 5:00 p.m., Monday, April 23, 2012, which motion prevailed.